

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, MAY 2, 1994  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:07 p.m. The meeting was adjourned by Mayor Golding at 3:08 p.m. to meet in Closed Session on Tuesday, May 3, 1994, at 9:00 a.m. in the twelfth floor conference room to discuss pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) Council Member Roberts-present  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present  
(5) Council Member Warden-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present  
Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) Council Member Roberts-present  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present

Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, May 2, 1994

Page 2

- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Rabbi Eliezer Langer.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding the W-4 Form; advised the City of San Diego to declare a proclamation to abolish the Federal Reserve; and encouraged City employees to rescind their W-4's.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A044-066.)

ITEM-PC-2:

Comment by Charles Stout demanding an independent investigation or congressional investigation of the mass murder that took place in Waco, Texas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A067-087.)

ITEM-PC-3:

Scott Wright presented Council Member Juan Vargas with a cassette tape as a gift of gratitude.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A088-095.)

COUNCIL COMMENT:

None.

ITEM-30:

SUBJECT: Tourism Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1575) ADOPTED AS RESOLUTION R-283766

Recognizing the importance of the Visitor Industry to the San Diego region;

Designating May 1-7, 1994 as "Tourism Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A097-217.)

MOTION BY STEVENS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Fred McWilliams Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1563) ADOPTED AS RESOLUTION R-283767

Recognizing the outstanding contribution that Fred McWilliams has made to improving the lives of many San Diegans;

Proclaiming May 2, 1994 to be "Fred McWilliams Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A220-302; A334-338.)

MOTION BY STEVENS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Distribution of Advertising Materials on Transient Residential Properties.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/18/94. (Council voted 9-0):

(O-94-89) ADOPTED AS ORDINANCE O-18068 (New Series)

Amending Chapter V, Article 7, of the San Diego Municipal Code by amending Section 57.16 and by adding Section 57.17 relating to the Distribution of Advertising Material which Proposes Commercial Transactions on Hotel or Motel Property.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY MCCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor

Golding-yea.

\* ITEM-51:

SUBJECT: Dedicating 2.1 Acres of City-owned Land for Park Land  
("Del Cerro").

(Navajo Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
4/18/93. (Council voted 9-0):

(O-94-83) ADOPTED AS ORDINANCE O-18069 (New Series)

Setting aside and dedicating 2.1 acres located along  
the northeast intersection of Interstate 8 and College  
Avenue, for a public park.

FILE LOCATION: DEED F-6276 DEEDFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND  
ADOPT ORDINANCE. Second by Warden. Passed by the following  
vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea,  
Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor  
Golding-yea.

\* ITEM-100:

SUBJECT: Awarding a Contract for the Purchase of 2 Meter Vans.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1269) ADOPTED AS RESOLUTION R-283768

Awarding a contract to Reynolds Buick GMC (West Covina,  
CA), for the purchase of two 14,000 lb. GVW Step Vans,  
for a total cost of \$55,212, including tax, with an  
option to purchase additional equipment for a period of  
six months from the date of the original purchase order

at the same cost;

Authorizing the expenditure of not to exceed \$55,212 from Fund 50031/50033, Department No. 8201/8203, Object Account No. 6013, and Job Order No. 88074/88074;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-C4232/94)  
Aud. Cert. 9401015.

FILE LOCATION:           CONT - Purchase - Reynolds Buick GMC (West Covina, CA)    CONTFY94-1

COUNCIL ACTION:           (Tape location: A352-473.)  
CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Awarding a Contract for Furnishing Liquid Chlorine.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1270)       ADOPTED AS RESOLUTION R-283769

Awarding a contract to Jones Chemicals, Inc. (Torrance, CA), for furnishing liquid chlorine in one-ton cylinders and 150-lb. cylinders, as may be required for a period of one year beginning July 1, 1994 through June 30, 1995, for a total estimated cost of \$404,373, including terms, with options to renew the contract for four additional one year periods. In the event the Contract Vendor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, if necessary, or to obtain liquid chlorine on the open market until the contract can be rebid.  
(BID-P4240/94)

FILE LOCATION:           CONT - Purchase - Jones Chemicals, Inc.

(Torrance, CA) CONTFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-102:

SUBJECT: Awarding a Contract for Chain Link Fence Repairs and  
Miscellaneous Parts.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1480) ADOPTED AS RESOLUTION R-283770

Awarding a contract to American Fence Company, Inc.  
(Santee, CA), for the purchase of chain link fence  
repairs and miscellaneous parts, as may be required for  
a period of one year beginning June 1, 1994 through May  
31, 1995, for a total estimated cost of \$100,000, with  
options to renew the contract for four additional one  
year periods. In the event the Contractor does not  
perform to specifications, the Purchasing Agent is  
authorized to terminate the contract and award to the  
next low bidder, South Bay Fence (Chula Vista).  
(BID-P4220/94)

FILE LOCATION: CONT - Purchase - American Fence Company,  
Inc. (Santee, CA) CONTFY94-1

COUNCIL ACTION: (Tape location: A355-473; B068-081.)

MOTION BY MATHIS TO ADOPT ITEMS 200 AND 102 WITH THE CAVEAT  
REQUESTED BY COUNCIL MEMBER MCCARTY FOR ITEM 102 THAT STAFF  
WILL NOT INSTALL FENCES IN THE SEVENTH DISTRICT WITHOUT  
INFORMING COUNCIL FIRST. Second by McCarty. Passed by the  
following vote: Mathis-yea, Roberts-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-103:

SUBJECT: Three actions related to Water and Sewer Replacement  
Group 509.  
(Uptown and Mid-City/Greater North Park Community  
Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1306) ADOPTED AS RESOLUTION R-283771

Inviting bids for the Construction of Water and Sewer  
Main Replacement Group 509 on Work Order Nos. 172761  
and 181701;

Authorizing a contract with the lowest responsible  
bidder;

Authorizing the expenditure of not to exceed \$478,000  
from Sewer Revenue Fund 41506, CIP-44-001, and not to  
exceed \$1,915,500 from Water Revenue Fund 41502,  
CIP-73-083.  
(BID-K94224)

Subitem-B: (R-94-1307) ADOPTED AS RESOLUTION R-283772

Authorizing the use of City Forces to isolate and make  
connections to the existing water system involving  
Construction of Water and Sewer Main Replacement Group  
509; declaring that the cost of the work shall not  
exceed \$308,500.

Subitem-C: (R-94-1308) ADOPTED AS RESOLUTION R-283773

Certifying that the information contained in Negative  
Declaration DEP-92-0489, dated December 7, 1992, in  
connection with Construction of Water and Sewer Main  
Replacement Group 509, has been completed in compliance  
with the California Environmental Quality Act of 1970,  
and State guidelines, and that the Declaration has been  
reviewed and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

The proposed project is part of the City's ongoing cast iron  
water main replacement program. The project provides for the  
replacement of 13,650 feet of cast iron water mains, 326 services



and 26 fire hydrants in various streets in the Uptown and Mid-City/Greater North Park Community Planning Areas. The old deteriorated 4,6,8 and 10-inch diameter mains will be replaced with polyvinyl chloride (PVC) or ductile iron pipe. The 4 and 6-inch diameter mains will be upsized to 8-inch diameter mains. All other replacement water pipe diameters would remain the same as existing sizes. Also included in this project is the replacement of 2,840 feet of old, undersized and/or deteriorated concrete and vitrified clay pipe sewer mains. 10 manholes and 30 sewer laterals will be replaced. Existing 6-inch diameter mains will be upgraded to 8-inches and 8-inch diameter mains will be upgraded to 10-inches. The increase in water and sewer pipe sizes is to meet current minimum City standards, and is in accordance with planned population densities for the area. The following streets will be affected by construction operation: Normal and Central Streets, between University and Polk Avenue; Cleveland Avenue between Richmond and Washington Avenue; Polk and Madison Avenue, between Alabama and Arizona Street; Florida Street, between University and Lincoln Avenue; Mississippi Street, between University Avenue and El Cajon Blvd.; and Louisiana Street, between Lincoln Avenue and El Cajon Blvd. Residents will be notified by mail at least one month before construction by the Water Utilities Department and ten working days before construction by the contractor. Traffic control plans have been prepared for this project and will be implemented during construction operations. It is estimated that the award of this project will create 9 new jobs for the local economy. Aud. Cert. 9400967. WU-P-94-117.

FILE LOCATION: W.O. 172761 CONT - Suncoast Pipeline Inc.  
CONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY MCCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Inviting bids for the Traffic Signal Interconnect on  
Convoy Street and on Aero Drive.

(Kearny Mesa Community Area. Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1305) ADOPTED AS RESOLUTION R-283774

Inviting bids for the Traffic Signal Interconnect on  
Convoy Street and on Aero Drive on Work Order No.  
112211;

Authorizing the execution of a contract with the lowest  
responsible bidder;

Authorizing the expenditure of \$230,000 from  
CIP-62-291.0, Traffic Signal Subsystem - DIF Funded,  
Fund 79530;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, in CIP-62-291.0, DIF Fund  
79530. (BID-K94223)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program project will coordinate  
the operation of twelve traffic signals on Convoy Street from  
Ronson Road to Aero Drive/Linda Vista Road and on Aero Drive from  
Kearny Villa Road to Sandro Rock Road. This coordination will  
provide for the orderly progression of vehicles on Convoy Street  
between Clairemont Mesa Boulevard and Aero Drive/Linda Vista Road  
and on Aero Drive from Kearny Villa Road to Sandro Rock Road, a  
distance of approximately two miles.  
Aud. Cert. 9400982.

FILE LOCATION: W.O. 112211 CONT - Lekos Electric, Inc.  
CONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Inviting Bids for the Construction of Broadway Tile  
Replacement.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1309) ADOPTED AS RESOLUTION R-283775

Inviting bids for the Construction of Broadway Tile  
Replacement on Work Order No. 112301;

Authorizing the execution of a contract with the lowest  
responsible bidder;

Authorizing the expenditure of not to exceed \$403,600  
from CIP-52-325.0, Broadway Bus Accommodation Plan,  
TransNet Fund 30300;

Authorizing the City Auditor and Comptroller, upon  
advice from the administering department, to transfer  
excess budgeted funds, if any, in CIP-52-325.0.  
(BID-K94225)

CITY MANAGER SUPPORTING INFORMATION:

On September 29, 1989, the City of San Diego filed the Notice of  
Completion for the Broadway Bus Accommodation Plan. Subsequently,  
failure of the new tile pavers on Broadway occurred and a lawsuit  
was filed. The City received \$223,500 as settlement of the  
lawsuit. This project is to correct the failed tile pavers on  
Broadway and includes improvement of sidewalks on the north side  
of Broadway between Fourth and Seventh and Eighth and Ninth  
Avenues and on the south side between Eighth and Ninth Avenues.  
The one block between Seventh and Eighth Avenues on the north  
side and a half block between Seventh and Eighth Avenues on the  
south side will only be done at this time if available funds  
allow.

Aud. Cert. 9401020.

FILE LOCATION: W.O. 112301 CONT - L. R. Hubbard Construction  
Co. Inc. CONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

SUBJECT: Inviting Bids for Deck Treatment of Mission Center Road  
Bridge and Stadium Way over the San Diego River.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1304) ADOPTED AS RESOLUTION R-283776

Inviting bids for the Construction of Deck Treatment of  
Mission Center Road Bridge and Stadium Way Bridge on  
Work Order No. 112444;

Authorizing a contract with the lowest responsible  
bidder;

Authorizing the expenditure of not to exceed \$260,000  
from Gas Tax Fund 30219;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-K94222)

CITY MANAGER SUPPORTING INFORMATION:

Minor cracking has occurred on the bridge decks of the Mission  
Center Road Bridge and Stadium Way Bridge over the San Diego  
River. The cracking has occurred due to shrinkage and thermal  
effects. The cracks, if left untreated, would leave the  
reinforcing steel susceptible to water and chloride intrusion,  
thus endangering the structural integrity and long term  
durability of the bridges. This project will treat the bridge  
deck surfaces by applying high-strength polymers which will fill  
the cracks and seal the bridge deck surfaces from water and  
chlorides.

Aud. Cert. 9400979.

FILE LOCATION: W.O. 112444 CONT - Associated Industries  
Inc. CONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.

Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

SUBJECT: Two actions related to the Carmel Mountain Ranch  
Landscape Maintenance District.

(Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1525) ADOPTED AS RESOLUTION R-283777

Resolution of Intention to levy and collect assessments  
on the Carmel Mountain Ranch Landscape Maintenance  
District.

Subitem-B: (R-94-1526) ADOPTED AS RESOLUTION R-283778

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The second public hearing establishes the annual assessments for  
the Carmel Mountain Ranch Landscape Maintenance District. The  
district provides maintenance of certain paved and landscaped  
medians and streetscapes within the district boundaries. The  
Fiscal Year 1995 proposed maintenance costs for the district are  
as follows:

Contractual Maintenance	\$132,000
Personnel	25,698
Utilities	31,500
Incidentals	46,814
Total Expenses	\$236,012
Reserve	21,401
Total	\$257,413
Less Carry-over and Interest	(42,000)
Less City Contribution	(18,784)
Assessed to District	\$196,629

The proposed assessment fee for Fiscal Year 1995 is \$21.13 per  
dwelling unit compared to \$17.82 in Fiscal Year 1994. The

increase is due to additional landscaping of trees and shrubs in the Ted Williams Parkway medians, as requested by the Citizens' Advisory Committee for the district.

FILE LOCATION: STRT M-308

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Two actions related to the Carmel Valley Landscape  
Maintenance District.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1531) ADOPTED AS RESOLUTION R-283779

Resolution of Intention to levy and collect assessments  
on the Carmel Valley Landscape Maintenance District.

Subitem-B: (R-94-1532) ADOPTED AS RESOLUTION R-283780

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The second public hearing establishes the annual assessments for the Carmel Valley Landscape Maintenance District. The district provides maintenance for open space in addition to medians, streetscapes, slopes and six mini-parks within the district boundaries. The Fiscal Year 1995 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 640,000
Personnel	102,790
Utilities	187,200
Incidentals	161,533
Total Expenses	\$1,091,523

Reserve	346,939
Total	\$1,438,462
Less Carry-over and Interest	(355,030)
Less City Contribution	(28,160)
Assessed to District	\$1,055,272

The assessments per dwelling unit for the various (one through seven) zones within the district for FY '95 and the previous Fiscal Year are tabulated below:

Zone	Overlay	1	2	3	4	5	6	7
FY'95	\$38.96	\$38.96	\$249.53	\$243.52	\$38.96	\$38.96	\$124.47	\$59.41
FY'94	\$14.52	\$14.52	\$307.28	\$293.84	\$36.32	\$96.10	\$114.46	\$34.06
PERCENT INCREASE								
	169.1	169.1	-18.8	-17.1	7.3	-59.5	8.7	74.4

The total assessment to the district in FY '94 was \$1,077,614 and \$1,055,272 in FY '95. The variations in zone unit assessments for FY '95 are due to reassignment of the six mini-parks from individual zones to the overlay zone since they benefit all of the community.

FILE LOCATION: STRT M-309

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109:

SUBJECT: Two actions related to the Coronado View Landscape  
Maintenance District.

(South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1534) ADOPTED AS RESOLUTION R-283781

Resolution of Intention to levy and collect assessments  
on the Coronado View Landscape Maintenance District.

Subitem-B: (R-94-1535) ADOPTED AS RESOLUTION R-283782

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The second public hearing establishes the annual assessments for the Coronado View Landscape Maintenance District. The district provides maintenance for one acre landscaped street slope within the district. The Fiscal Year 1995 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 5,600
Personnel	5,139
Utilities	1,740
Incidentals	4,663
Total Expenses	\$17,142
Reserve	1,435
Total	\$18,577
Less Carry-over & Interest	(2,794)
Less City Contribution	0
Assessed to District	\$15,783

The proposed unit annual assessment for Fiscal Year 1995 is \$136.06 per dwelling unit as compared to \$131.47 per dwelling unit for Fiscal Year 1994. The increase is due to an increase in contractual maintenance cost and also to the smaller carry-over amount from the previous Fiscal Year.

FILE LOCATION: STRT M-310

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110: RETURNED TO CITY MANAGER

SUBJECT: Two actions related to the Linda Vista Road Landscape  
Maintenance District.

(Linda Vista Community Area. Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:



Subitem-A: (R-94-1541)

Resolution of Intention to levy and collect assessments  
on the Linda Vista Road Landscape Maintenance District.

Subitem-B: (R-94-1542)

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The second public hearing establishes the annual assessments for the Linda Vista Road Landscape Maintenance District that was previously formed by Council in 1990. The district will provide maintenance of landscaped medians and streetscapes along Linda Vista Road from Via Las Cumbres to Genesee Avenue, and Genesee Avenue from Linda Vista Road to Osler Street, beginning July 1, 1994. The Fiscal Year 1995 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$40,000
Personnel	5,139
Utilities	4,150
Incidentals	29,174
Total Expenses	\$78,463
Reserve	7,613
Total	\$86,076
Less Carry-over & Interest	(3,200)
Less City Contribution	(1,528)
Assessed to District	\$81,348

The proposed assessment for Fiscal Year 1995 is approximately \$11.13 per dwelling unit for properties within Phase I area of the district. Fiscal Year 1995 is the first year assessments are being levied for this district. At a future date, a Phase II area has been delineated to provide maintenance of landscaping on Linda Vista Road from Via Las Cumbres to Napa Street pending property owner approval.

FILE LOCATION: STRT M-311

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO RETURN TO THE CITY MANAGER.  
Second by Warden. Passed by the following vote:  
Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111:

SUBJECT: Vacating the Easterly Excess Portion of Third Avenue  
between Redwood and Quince Streets.

(Uptown Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1450) ADOPTED AS RESOLUTION R-283783

Vacating the easterly excess portion of Third Avenue  
between Redwood Street and Quince Street, under the  
procedure for the summary vacation of streets;

Reserving and excepting a general utility easement for  
franchise facilities from the foregoing vacation, for  
the transportation and distribution of electrical or  
electronic energy and natural gas, and for incidental  
purposes including access to protect the property from  
all hazards in, upon, over, and across the portions of  
the streets to be vacated;

This resolution shall not become effective unless the  
relocation of the water meter serving 3065 Third Avenue  
into the public right-of-way is completed within  
eighteen months following adoption; in the event the  
above condition has not been met, this resolution shall  
become void and be of no further force or effect;

Directing the City Engineer to advise the City Clerk of  
the approval of the completion of the relocation of the  
water meter.

CITY MANAGER SUPPORTING INFORMATION:

The Park and Recreation Department and an adjacent property owner  
have requested the subject vacation, which abuts City-owned open  
space and privately-owned property. The vacation will assure  
preservation of an additional area for open space adjacent to  
City-owned property and would legitimize front yard usage of  
portions of the right-of-way adjacent to the privately-owned  
property. The subject vacation is located in the Uptown  
Community Plan Area. The area-of-vacation is 10,500 square feet,  
of which 7,000 square feet abuts City-owned open space and would  
revert to the City and be retained as open space. The remaining  
3,500 square feet, which abuts private property, is within an  
R-600 Zone with approximately 18 percent of it subject to the

Hillside Review Overlay Zone. The residential entitlement for this property would be increased by seven units. No increase in density is anticipated at this time. The Planning Department has no objection to the vacation, and the Planning Commission recommended approval on September 10, 1987, by a 5-0 vote. The segment of Third Avenue proposed for vacation is unimproved, due mainly to its alignment over the adverse slopes of the adjoining canyon area. A portion of the area-of-vacation is also currently being utilized as a landscaped front yard adjacent to privately-owned property. The area-of-vacation contains franchise facilities for which a general utility easement will be reserved. The removal and relocation of an existing water meter into public right-of-way is also required and a condition of the vacation. The remaining portion of Third Avenue is improved with pavement that has a variable width of 16-20 feet with an existing sidewalk for half its length of its westerly side, beginning at Redwood Street. The existing Third Avenue improvements will not be affected by the vacation, as they are adequate for access to the adjoining properties.

FINDINGS:

Staff review has indicated that the vacation is consistent with the General Plan, the adopted community plan, and Council Policy 600-15 and may be summarily vacated. The excess rights-of-way are not required for present or prospective use, and the facilities for which they were originally acquired will not be detrimentally affected. The public will benefit from this vacation through improved utilization of the land and relieving the City of maintenance and liability responsibilities.

FILE LOCATION: DEED F-6277; STRT J-2803 DEEDFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: St. John Christian Methodist Episcopal Church Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1550) ADOPTED AS RESOLUTION R-283784

Commending St. John Christian Methodist Episcopal  
Church on its 25th Anniversary;

Proclaiming April 24, 1994 to be "St. John Christian  
Methodist Episcopal Church Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-113:

NOTE: Item 113 was inadvertently placed on the Consent Agenda  
and it should be on the Adoption Agenda. Please see  
Item 201 on today's docket.

ITEM-114:

SUBJECT: Local Transportation Funds (LTF) and TransNet Funds for  
Non-Motorized Transportation Projects.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1448) ADOPTED AS RESOLUTION R-283785

Authorizing the City Manager to apply for, accept, and  
expend Local Transportation Funds (LTF) and TransNet  
Funds for the following non-motorized transportation  
projects:

1. Bayshore Bikeway (Imperial Beach city limits to  
Main Street).
2. Bus/Bike Retrofit Project.
3. Calle Cristobal Bicycle Lanes (Camino Santa Fe to  
a point 0.3 miles east of Camino Santa Fe).
4. Lake Hodges North Shore Bicycle Path (I-15 to  
easterly terminus of paved portion of Old Mission

- Road).
5. Laurel Street Sidewalk (north side of Laurel Street from North Harbor Drive to a point 830 feet east).
  6. Murphy Canyon Bicycle Path (southerly terminus of existing Murphy Canyon Bicycle Path to Stadium bus access road).
  7. Ward Canyon Bikeway (Ward Canyon/I-15 corridor between Landis Street and Camino del Rio South).
  8. Texas Street (Madison Avenue to Camino Del Rio South).

CITY MANAGER SUPPORTING INFORMATION:

Eight claims for Local Transportation Funds (LTF) and Proposition A funds have been prepared for submittal to SANDAG which administers non-motorized transportation funding. Legislation provides that two percent of LTF may be utilized for the construction of non-motorized transportation facilities and that a total of one million dollars in TransNet funds may be used for bicycle facility improvements, providing a total of two million dollars county wide. These funds are made available to cities and the County based on an area-wide priority list of such facilities approved annually by the SANDAG Board of Directors. This resolution authorizes the City Manager to submit applications for eight projects: 1) Bayshore Bikeway; 2) Bus/Bike Retrofit Project; 3) Calle Cristobal Bicycle Lanes; 4) Lake Hodges North Shore Bicycle Path; 5) Laurel Street Sidewalk; 6) Murphy Canyon Bicycle Path; 7) Ward Canyon Bikeway; 8) Texas Street. The resolution also authorizes the City Manager to subsequently submit claims for funding for any project or projects which are approved by SANDAG.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A436-473; B082-237.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATION AND TO SCHEDULE THE SIDEWALK ISSUE FOR ANOTHER MEETING AS SOON AS POSSIBLE. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: Accepting a Grant for the Clairemont Mesa Boulevard

Traffic Signal System.

(Clairemont Mesa and Kearny Mesa Community Areas.  
Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1520) ADOPTED AS RESOLUTION R-283786

Authorizing the City Manager to accept and expend a  
Petroleum Violation Escrow Account grant from the  
California Department of Transportation in the amount  
of \$250,000 for the Clairemont Mesa Boulevard Traffic  
Signal System;

Authorizing the execution of an operating agreement  
with the California Department of Transportation, for  
the Clairemont Mesa Boulevard Traffic Signal System;

Authorizing the City Auditor and Comptroller to  
establish Capital Outlay Grant No. 38531, Clairemont  
Mesa Boulevard Traffic Signal System;

Amending the Fiscal Year 1994 Capital Improvements  
Program by adding CIP-63-022.0, Clairemont Mesa  
Boulevard Traffic Signal System;

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$250,000 from Capital  
Outlay Grant Fund No. 38531, CIP-63-022.0;

Authorizing the expenditure of not to exceed \$250,000  
from CIP-63-022.0, for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The City was awarded a Petroleum Violation Escrow Account (PVEA)  
grant from the State of California for the Clairemont Mesa  
Boulevard Traffic Signal System. The PVEA is funded by fines and  
settlement fees from oil companies for overcharging consumers  
during the energy crises of the 1970s. The funds are distributed  
by the U.S. Department of Energy to the states to be used for  
energy-saving projects. This award was by legislative action as  
part of the Fiscal Year 1994 State budget. This action  
authorizes the City Manager to accept and expend the grant funds  
and amends the City CIP to include the project.  
Aud. Cert. 9400988.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, May 2, 1994**

**Page 23**

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: Families for Literacy Grant Program.

(Valencia Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1459) ADOPTED AS RESOLUTION R-283787

Authorizing the City Manager to apply for, accept, and  
administer grant funds from the California State  
Library to continue a Families for Literacy Program.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library has been invited to apply for  
California Library Services Act grant funds to continue a model  
Families for Literacy Program. This program involves adults who  
are enrolled in the Library's READ/San Diego Literacy Program and  
have preschool children. The program activities and materials  
will continue to encourage positive family interaction,  
utilization of community resources beginning with the library and  
to introduce the entire family to the value and enjoyment of  
literature. Grant funds will be used to purchase materials,  
sponsor programs and extend outreach services.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117:

SUBJECT: Additional Funding for Children's Play Equipment at  
South Bay Community Park.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1565) ADOPTED AS RESOLUTION R-283788

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$7,000 from PSD fund  
No. 11730 to CIP-29-778.3, Children's Play Equipment -  
Contract No. 1.

CITY MANAGER SUPPORTING INFORMATION:

Two small children's play areas at South Bay Community Park are  
being refurbished. Project funding is limiting the improvements  
that make such facilities accessible to the physically disabled  
to one of the play areas. The requested additional \$7,000 will  
provide access improvements at the second play area.  
Aud. Cert. 9401017.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Community Based Toilet Replacement Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1546) ADOPTED AS RESOLUTION R-283789



Authorizing the City Manager to continue the Community Based Toilet Replacement Program;

Authorizing an amendment to the agreement with the San Diego County Water Authority, to implement and administer the Community Based Toilet Replacement Program;

Authorizing the expenditure of an amount not to exceed \$137,400 from Water Utilities Department Operating Fund 41500, Water Conservation Program 70622, for the purpose of continuing the Community Based Toilet Replacement Program.

CITY MANAGER SUPPORTING INFORMATION:

This action requests the continued funding of the Community Based Toilet Replacement Program (Toilet Replacement Program) for the current Fiscal Year by amending an agreement with the San Diego County Water Authority (CWA) to provide matching funds from the CWA and the Metropolitan Water District (MWD) of Southern California for an additional 5,725 ultra-low flush toilets (ulft's). Funding percentages will remain at 25 percent each for the City of San Diego (City) and the CWA, and 50 percent for the MWD. In June of 1993, the City Council approved the City's participation in a pilot Toilet Replacement Program with the goal of distributing 5,000 ulft's to single-family owner occupied households in the City meeting low income criteria as established by the U.S. Housing and Urban Development. Since then, two field offices have been set up to establish participant program eligibility and process applications, distribute ulft's, and collect old, higher volume toilets which are recycled. The two community based organizations selected to run the City program, Triple Crown and the MAAC Project, have hired local residents to work in the offices and canvass neighborhoods to invite qualified City residents to participate in the program. Between October and December of 1993, more than 4,000 ulft's were distributed. The public's response has been very favorable. The estimated water savings for the additional 5,725 ulft's is 158,000 gallons per day or 177 acre-feet per year. The City's cost to implement this program is \$97 per acre-foot saved, compared to \$388 per acre-foot the City currently pays to purchase water. Aud. Cert. 9400927. WU-U-94-115.

FILE LOCATION: WATER - San Diego County Water Authority -  
Toilet Replacement Program CONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119:

SUBJECT: Agreement with JHK and Associates for a Shared Parking  
Study.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1521) ADOPTED AS RESOLUTION R-283790

Authorizing the execution of an agreement with JHK and  
Associates, in the amount of \$100,000 to provide  
consulting services for a shared parking study;

Authorizing the expenditure of not to exceed \$100,000  
from Shared Parking Program Fund 63028, Department  
63028, Job Order 880427.

CITY MANAGER SUPPORTING INFORMATION:

Developers of mixed-use projects have been permitted to use a  
shared parking formula to reduce the number of required  
off-street parking spaces. As a condition of project approval,  
fees have been collected to study and validate the program's  
parking rates and formula. JHK and Associates, with Valley  
Research and Planning Associates (MBE), and Marum Associates  
(WBE), have been selected from the "As-Needed" consultant list to  
survey and analyze parking at a number of single use and  
mixed-use sites and to recommend changes to share parking  
calculation procedures based on this data. This consultant  
contract award represents 12 percent MBE participation and 3  
percent WBE participation.  
Aud. Cert. 9400999.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120:

SUBJECT: Amendment to the Supplemental Pension Savings Plan  
(SPSP).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1553) ADOPTED AS RESOLUTION R-283791

Authorizing the City Manager to amend the Supplemental Pension Savings Plan (SPSP) to allow a direct transfer from the SPSP to the San Diego City Employees Retirement System (SDCERS), for the purpose of purchasing service credit in SDCERS.

CITY MANAGER SUPPORTING INFORMATION:

The Council of the City of San Diego adopted Resolution R-255609 on January 4, 1982, to establish a Supplemental Pension Savings Plan for eligible employees. In 1993, the San Diego Municipal Code was amended to provide for the purchase of service credit in the SDCERS for a variety of categories of City service. The Internal Revenue Code, however, places limits on the money employees may contribute to SDCERS to purchase service credit for earlier years of service. For the majority of employees now wishing to purchase service credit in SDCERS, the money necessary to make the purchase will exceed the IRC limits. In recognition of this fact, the San Diego Municipal Code was further amended to allow SDCERS to receive a direct transfer from the SPSP Plan as payment for the purchase of service credit. A direct transfer from SPSP is not counted towards the IRC limits. Currently, the SPSP does not provide for the direct transfer permitted by SDCERS. Article XI, Section 11.01 of the SPSP authorizes the employer to amend the Plan at anytime as it deems advisable after approval by a simple majority vote of all active participants. An amendment to the SPSP was submitted for a vote of the active participants on March 25, 1994 through April 8, 1994, to add a direct transfer from the SPSP to the SDCERS for the purchase of service credit in SDCERS. The results of the ballot were: Yes - 1,581 (91.18 percent), No - 141 (8.13 percent), Invalid - 12 (0.69 percent). The SPSP now needs to be amended to provide for the direct transfer requested by the employer and approved by the

SPSP membership.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121:

SUBJECT: Amendment of the Supplemental Pension Savings  
Plan-Hourly (SPSP-H).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-94-1554) ADOPTED AS RESOLUTION R-283792

Authorizing the City Manager to amend the Supplemental  
Pension Savings Plan-Hourly (SPSP-H) to allow a direct  
transfer from the SPSP-H to the San Diego City  
Employees' Retirement System (SDCERS), for the purpose  
of purchasing service credit in SDCERS.

CITY MANAGER SUPPORTING INFORMATION:

The Council of the City of San Diego adopted Resolution R-280705 on September 21, 1992, to establish a Supplemental Pension Savings Plan-Hourly (SPSP-H) for eligible employees. In 1993, the San Diego Municipal Code was amended to provide for the purchase of service credit in the SDCERS for a variety of categories of City service. The Internal Revenue Code, however, places limits on the money employees may contribute to SDCERS to purchase service credit for earlier years of service. For the majority of employees now wishing to purchase service credit in SDCERS, the money necessary to make the purchase will exceed the IRC limits. In recognition of this fact, the San Diego Municipal Code was further amended to allow SDCERS to receive a direct transfer from the SPSP-H as payment for the purchase of service credit. A direct transfer from SPSP-H is not counted towards the IRC limits. Currently, the SPSP-H does not provide for the direct transfer permitted by SDCERS. Article XI, Section 11.01 of the SPSP-H authorizes the employer to amend the Plan at any time, to any extent that it deems advisable. Unlike the SPSP and

SPSP-M Plans, a vote of the active participants is not required. The SPSP-H now needs to be amended to provide for the direct transfer as requested by the employer. This amendment will also bring the SPSP-H into conformance with like amendments to the SPSP and SPSP-M Plans which were approved by a vote of their respective memberships.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122:

SUBJECT: Amendment of the Supplemental Pension Savings Plan-Medicare (SPSP-M).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-94-1555) ADOPTED AS RESOLUTION R-283793

Authorizing the City Manager to amend the Supplemental Pension Savings Plan-Medicare (SPSP-M) to allow a direct transfer from the SPSP-M to the San Diego City Employees' Retirement System (SDCERS), for the purpose of purchasing service credit in SDCERS.

CITY MANAGER SUPPORTING INFORMATION:

The Council of the City of San Diego adopted Ordinance O-16649 on May 27, 1986, to establish a Supplemental Pension Savings Plan-Medicare (SPSP-M) for eligible employees. In 1993, the San Diego Municipal Code was amended to provide for the purchase of service credit in the SDCERS for a variety of categories of City service. The Internal Revenue Code, however, places limits on the money employees may contribute to SDCERS to purchase service credit for earlier years of service. For the majority of employees now wishing to purchase service credit in SDCERS, the money necessary to make the purchase will exceed the IRC limits. In recognition of this fact, the San Diego Municipal Code was further amended to allow SDCERS to receive a direct transfer from the SPSP-M as payment for the purchase of service credit. A

direct transfer from SPSP-M is not counted towards the IRC limits. Currently, the SPSP-M does not provide for the direct transfer permitted by SDCERS. Article XI, Section 11.01 of the SPSP-M authorizes the employer to amend the Plan at any time as it deems advisable after approval by a simple majority vote of all active participants. An amendment to the SPSP was submitted for a vote of the active participants on March 25, 1994 through April 8, 1994, to add a direct transfer from the SPSP-M to the SDCERS for the purchase of service credit in SDCERS. The results of the ballot were: Yes - 1,581 (91.18%), No - 141 (8.13%), Invalid - 12 (0.69%). The SPSP-M now needs to be amended to provide for the direct transfer requested by the employer and approved by the SPSP-M membership.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123:

SUBJECT: Amendment of the 401(k) Plan.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1556) ADOPTED AS RESOLUTION R-283794

Authorizing the City Manager to amend the 401(k) Plan to allow a direct transfer from the 401(k) to the San Diego City Employees' Retirement System (SDCERS), for the purpose of purchasing service credit in SDCERS.

CITY MANAGER SUPPORTING INFORMATION:

The Council of the City of San Diego adopted Resolution R-263371 on June 10, 1985, to establish a 401(k) Plan for eligible employees. In 1993, the San Diego Municipal Code was amended to provide for the purchase of service credit in the SDCERS for a variety of categories of City service. The Internal Revenue Code, however, places limits on the money employees may contribute to SDCERS to purchase service credit for earlier years

of service. For the majority of employees now wishing to purchase service credit in SDCERS, the money necessary to make the purchase will exceed the IRC limits. In recognition of this fact, the San Diego Municipal Code was further amended to allow SDCERS to receive a direct transfer from the 401(k) Plan as payment for the purchase of service credit. A direct transfer from 401(k) is not counted towards the IRC limits. Currently, the 401(k) does not provide for the direct transfer permitted by SDCERS. Article IX, Section 9.01 of the 401(k) authorizes the employer to amend the Plan at any time, to any extent that it deems advisable. A vote of the active participants is not required. The 401(k) Plan now needs to be amended to provide for the direct transfer as requested by the employer. This amendment will also bring the 401(k) Plan into conformance with the SPSP, SPSP-M and SPSP-H Plans which are being amended in a like manner.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Roberts-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124:

SUBJECT: Appointments to the Citizens' Advisory Board on  
Police/Community Relations.

(See memorandum from Mayor Golding with resumes  
attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1584) ADOPTED AS AMENDED AS RESOLUTION R-283795

Council confirmation of the following appointments by  
the Mayor to the Citizens' Advisory Board on  
Police/Community Relations, representing Council  
districts and groups as shown, for terms ending as  
indicated:

Reappointments to Expire January 1, 1995:  
Harry O. Eastus (Police Employee Group)

Peter Burgert (Council District 7)  
Appointments to Expire January 1, 1995:  
David P. Weiss (Social Services, Corrections)  
(to replace Clarence E. McCoy, who has resigned)  
Charles Johnson (Council District 5)  
(to replace Jerome Hunter, who has resigned)  
James F. Ryan (Council District 1)  
(to replace Samuel Katz, whose term has expired)  
Appointments to Expire January 1, 1996:  
Marilyn Olson (Human Relations Expert)  
(to replace William C. McGuigan, whose term has expired)  
Booker T. Crenshaw, Jr. (Council District 4)  
(to replace Frank L. White, whose term has expired)  
Yvonne Esperanza Campos (Member of the Public)  
(to replace Dr. Kenji Ima, whose term has expired)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY McCARTY TO ADOPT AS AMENDED TO WITHDRAW THE NOMINATION OF BOOKER T. CRENSHAW, JR. AS REQUESTED BY COUNCIL MEMBER STEVENS. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Acquisition of Property at Paraiso Cumbres.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1580) ADOPTED AS RESOLUTION R-283796

Authorizing the City Manager to expend an additional \$510,000 to acquire a 230-acre parcel known as Paraiso Cumbres, located west of Penasquitos Court and north of Carmel Mountain Road in the Rancho Penasquitos area, and to pay miscellaneous costs;



Authorizing the City Manager to accept an unrestricted grant deed to the property.

FILE LOCATION: DEED F-6278 DEEDFY94-1

COUNCIL ACTION: (Tape location: A395-473; A474-B081.)

MOTION BY MATHIS TO ADOPT ITEMS 200 AND 102 WITH THE CAVEAT REQUESTED BY COUNCIL MEMBER MCCARTY FOR ITEM 102 THAT STAFF WILL NOT INSTALL FENCES IN THE SEVENTH DISTRICT WITHOUT INFORMING COUNCIL FIRST. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NOTE: Item 201 was inadvertently placed on the Consent Agenda as Item 113 and it should be on the Adoption Agenda.

ITEM-201:

SUBJECT: Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) Authorization Priorities.  
(See Intergovernmental Relations Department Report IRD-94-13.)

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1583) ADOPTED AS RESOLUTION R-283797

Stating that State Route 905 and State Route 56 share a high priority in the development of San Diego's transportation infrastructure, and that it is equally important to fund, construct and complete both State Route 905 and State Route 56, and all highway improvements related to both projects, as soon as possible, as set forth in Intergovernmental Relations Department Report IRD-94-13, dated April 20, 1994.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A352-473.)

CONSENT MOTION BY MCCARTY TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea,

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-94-1726) ADOPTED AS RESOLUTION R-283798

Resolution urging the Federal Government to declare a  
Federal Emergency in the Tijuana River Valley.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A304-350.)

MOTION BY VARGAS TO ACCEPT THE ITEM FOR CONSIDERATION.  
Second by Stallings. Passed by the following vote:  
Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.  
MOTION BY VARGAS TO ADOPT. Second by Stallings. Passed by  
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:08 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B238-249.)